

FISCAL IMPACT STATEMENT ON BILL NO. **S. 299**

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TO:	The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Rodney P. Grizzle		
DATE:	February 15, 2005	SBD:	2005133

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AUTHOR:	Senator Ford	PRIMARY CODE CITE:	Joint Resolution
SUBJECT:	Election of Supreme Court Justices and Court of Appeals Judges		

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ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:  
See Below

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:  
\$0 (No additional expenditures or savings are expected)

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**BILL SUMMARY:**

Senate Bill 299 amends Section 2 of Article V of the Constitution of South Carolina, 1895, relating to the composition of the Supreme Court by increasing the number of justices from 5 to 7. It also amends Section 3 of Article V relating to the way the justices are elected to the Supreme Court as well as provides for the Chief Justice to be elected from the state at-large. The Bill further amends Sections 8 and 13 of Article V to provide for the popular election of both the court of appeals and circuit court judges.

**EXPLANATION OF IMPACT:**Judicial Department

The Department states that there would be a cost to the General Fund of the State. The cost associated with one Supreme Court Justice and staff (administrative assistant and law clerk) is approximately \$356,495 for personal services and associated operating expenses and \$50,180 of non-recurring cost for automation and furniture. The total first year cost for two new justices is \$712,990 recurring and \$100,360 non-recurring. The addition of the new justices would also require renovation to the Supreme Court Building, rental office space for the staff that is relocated out of the Supreme Court building and additional expenses associated with the increase in the number of staff attorneys and clerks. These costs have not been determined. Additionally, this Bill would cause the Judicial Department to reduce the total number of Court of Appeals judges from 9 to 6, because of the total number of congressional voting districts. The savings brought about by this reduction in 3 Appeals Court Judges and staff (Secretary and 2 Law Clerks per judge) is estimated to be \$1,042,554. There would be no cost or savings incurred with the change in how the circuit court judges are elected. There are already 46 circuit court judges.

Election Commission

The Commission states that there would be no fiscal impact on the General Fund of the State, nor on Federal and/or Other Funds. The cost of the general election is covered through the appropriations process.

**LOCAL GOVERNMENT IMPACT:**

None.

**SPECIAL NOTES:**

None.

Approved by:



Don Addy  
Assistant Director, Office of State Budget